

REGULAR CITY COUNCIL MEETING  
MARCH 20, 2003

PRESENT

Gayle Bunker  
Wesley Bloomfield  
Bruce Curtis  
Robert Droubay

Mayor  
Council Member  
Council Member  
Council Member

ABSENT

Glen Swalberg  
Margaret Dutson

Council Member  
Council Member

ALSO PRESENT

Richard Waddingham  
Alan Riding  
Ken Clark  
Gregory Schafer  
Sherri Callister  
Jim DeWyze  
Dick & JoAnn Ross  
Dennis & Charlotte Leavitt  
Kylie Chase  
Peggy Overson  
Jed Higgs  
Sonny Lister  
Brandon Smith  
Ken Thatcher  
Jim Morris

City Attorney  
Public Works Director  
Asst. Public Works Director  
City Recorder  
Days of the Old West Rodeo Committee  
Area Resident  
Area Residents  
City Residents  
Delta Area Chamber of Commerce  
City Resident  
Area Resident  
Area Resident  
Area Resident  
Area Resident  
City Resident

Mayor Bunker called the meeting to order at 7:00 p.m. He stated that notice of the meeting time, place and agenda was posted at the City Building and had been provided to the Millard County Chronicle/Progress, to KNAK Radio, and to each member of the City Council at least two days prior to the meeting. City Recorder Gregory Schafer acted as secretary.

Council Member Robert Droubay offered an invocation, following which Mayor Bunker led those in attendance in the Pledge of Allegiance.

MINUTES

The proposed minutes of a Regular City Council Meeting held March 3, 2003 were presented for

consideration and approval. There were two typographical errors noted on Page 3. Following discussion, Council Member Robert Droubay MOVED to approve the minutes of the Regular City Council Meeting held March 3, 2003, as corrected. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following review, Council Member Wesley Bloomfield MOVED to approve the accounts payable, dated March 20, 2003, in the amount of \$57,534.40. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

#### UNFINISHED BUSINESS

##### CITY ATTORNEY RICHARD WADDINGHAM: DELTA CITY PURCHASING POLICY AND PROCEDURES

City Attorney Richard Waddingham suggested that the Delta City Purchasing Policy and Procedures be amended to delete a portion of the language regarding rejection of bids, specifically, "as may be specified in the solicitation". He advised the Council that Supreme Court decisions allow the city to reject any and all bids, in whole or in part, when deemed to be in the best interest of the City. Current Delta City policy limits rejection or cancellation of bids.

Council Members agreed with the proposed amendment and instructed City Attorney Waddingham to prepare the amendment for approval at the next meeting of the City Council.

##### MAYOR GAYLE BUNKER: PROPOSED "VOLUNTEER WEEK" - RECOGNITION OF VOLUNTEER IN THE COMMUNITY

Mayor Bunker reported that there is a national "Volunteer Week" scheduled for April 27 through May 3, 2003. Mayor Bunker asked for comments from the Council regarding the proposed Proclamation designating April 27 through May 3, 2003 as "Volunteer Appreciation Week" in Delta City.

Following discussion, Council Member Robert Droubay MOVED to declare April 27 through May 3, 2003 as "Volunteer Appreciation Week" in Delta, Utah and to authorize Mayor Bunker to sign the Proclamation making that declaration. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER WESLEY BLOOMFIELD: JANITORIAL SPECIFICATIONS AND CONTRACT

Council Member Bloomfield asked for comments from Council Members regarding the proposed janitorial specifications. Council Member Bloomfield requested that the item requiring dusting under books on bookshelves be deleted. Following discussion, Council Member Bruce Curtis MOVED to accept the proposed janitorial specifications, with the exception of the requirement that bookshelves be dusted under the books. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

NEW BUSINESSSHERRI CALLISTER, DAYS OF THE OLD WEST RODEO COMMITTEE: REQUEST FOR WAIVER OF BUSINESS LICENSE FEE FOR CARNIVAL TO BE HELD IN CONJUNCTION WITH RODEO

Sherri Callister told the Council that she is the secretary for the Days of the Old West Rodeo. She is applying for a business license for the carnival that will be in Delta in conjunction with the rodeo. Inasmuch as the rodeo is a function of Millard County, Ms. Callister requested a waiver of business license fees for the carnival. City Attorney Richard Waddingham advised Ms. Callister that liability insurance must be provided naming Delta City as an additional insured.

Following discussion, Council Member Wesley Bloomfield MOVED to authorize Sherri Callister to obtain a business license for the carnival which will operate during the Days of the Old West Rodeo at no cost, with the stipulation that the building inspection, fire department inspection, health department inspection, background checks, and insurance requirements be met, at no cost to Delta City. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

DICK ROSS / JIM DEWYZE: PROPOSED DRAG RACING ON EAST-WEST RUNWAY AT DELTA MUNICIPAL AIRPORT

Mr. DeWyze introduced himself and other members of his committee, including Sonny Lister, Dick Ross, and Brandon Smith. Brandon Smith is a member of the Delta Area Chamber of Commerce who also chairs the trade fair associated with the Millard County Fair. Mr. DeWyze stated that Millard County is attempting to find events to augment the annual fair in order to bring additional traffic and revenues into the fair. Drag racing has been brought up over the past several years as a possible event to coincide with the fair.

Mr. DeWyze distributed copies of an outline he had prepared addressing topics such as insurance coverage, how to put on a drag race and where to hold the event. Mr. DeWyze asked Sonny Lister

to approach the Council to explain the diagram he had prepared showing where the group would like to hold the drag races. Mr. Lister explained procedures which would keep both spectators and vehicles away from airplanes and the fuel island and also prevent traffic jams. Mr. Lister explained that most drag races are one-quarter mile but this group is proposing one-eighth mile races, which would reduce speed and allow more space for slowing down. Mr. Lister outlined the areas for pits, spectators, racing and turning. He assured the Council that no races would be started until cars from the previous race have been returned to the pit area.

The group proposes to run two races this year; one during the Millard County Fair and another during the annual car show, if possible.

Mayor Bunker told the Council that he had met with Mr. DeWyze and Mr. Ross last week to discuss the proposed drag racing and stated that this would be a temporary site, used to determine if adequate support for drag racing is available. If there is enough interest, the group would find a permanent location for future races. Mayor Bunker asked the group about any concerns the FAA might have with using an airport runway for racing. Mr. DeWyze advised the Council that he had talked with John Sorensen at FAA who had advised him that the authority lies with Delta City and that, once Delta City has provided a letter of approval for the races, the FAA would put out notice to all aviators.

Ken Thatcher requested that the Denver FAA office be asked whether drag racing at the airport would cut Delta out of appropriations later on. City Attorney Waddingham stated that most grants restrict use of the property for airport purposes, unless express written permission is given for other uses. City Attorney Waddingham also questioned who is covered under the insurance. Mr. DeWyze stated that spectators are covered under the policy. City Attorney Waddingham requested that Delta City be shown as an additional insured on the insurance policy.

Public Works Director Alan Riding advised the Council that FAA does not recognize the East-West runway for any funding.

Mr. DeWyze stated that there would be no racing in the landing area of the runway.

Following discussion, Council Member Wesley Bloomfield MOVED to table further discussion of this matter pending receipt of information from Denver FAA and Utah Department of Transportation regarding airport funding and, if a favorable response is received, that the Council would be interested in further consideration of the proposal for drag racing on the East-West runway at Delta Municipal Airport. The motion was SECONDED by Council Member Robert Droubay. Mayor Bunker asked if there were any comments or questions regarding the motion. Council Member Robert Droubay asked Mr. DeWyze if delaying action on the matter for two weeks would cause critical problems in scheduling the racing. Mr. DeWyze advised the Council that two weeks could affect the success of the race. Council Member Droubay asked if approval for the racing could be given subject to a favorable response being received from the FAA. Council Member Bloomfield withdrew his motion. Council Member Robert Droubay withdrew his second. Council Member

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Wesley Bloomfield then MOVED to approve drag racing on the East-West runway at the Delta Municipal Airport, in conjunction with the Millard County Fair and the annual car show, subject to favorable responses being received from both the Denver office of the FAA and the Utah Department of Transportation regarding future funding for Delta Municipal Airport. Council Member Robert Droubay SECONDED the motion. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

COUNCIL MEMBER ROBERT DROUBAY: PROPOSED ZONE CHANGE FROM COMMERCIAL DEVELOPMENT (C-D) TO MOBILE HOME (M-H) FOR LOTS 1 AND 15, BLOCK 2, DELTA ESTATES

Council Member Robert Droubay reported that the Planning & Zoning Commission had discussed this proposed zone change and recommended that the Council set a public hearing for the proposed zone change. A number of years ago, one of the lots had been given a variance allowing placement of a mobile home on the lot. The Planning & Zoning Commission felt that, given the size of the two lots and limitation on types of businesses which could utilize the lots, it would be advantageous to change the zoning to Mobile Home in order to allow residential use of the property. Property adjacent to Lots 1 & 15, Block 2 are zoned Mobile Home. The Planning & Zoning Commission also recommended that the proposed zone change be approved.

Council Member Robert Droubay MOVED to set a public hearing on Thursday April 17, 2003 at 6:45 p.m. for the purpose of receiving public comment regarding a proposed zone change from Commercial Development (C-D) to Mobile Home (M-H) for Lots 1 and 15, Block 2, Delta Estates. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: SPRING CLEAN UP DATES

Public Works Director Alan Riding suggested that Spring Clean Up be scheduled for May 3<sup>rd</sup>, 10<sup>th</sup>, or 17<sup>th</sup>, and requested that the Council choose two of those dates. Public Works employees felt that, if clean up were scheduled for May 3<sup>rd</sup> and 10<sup>th</sup>, that would leave the 17<sup>th</sup> available as an alternate date in the event of a storm on one of the other dates.

Council Member Wesley Bloomfield MOVED to set the Delta City Spring Clean Up dates as May 3<sup>rd</sup> for the area South of Main Street and May 10<sup>th</sup> for the area North of Main Street. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

PUBLIC WORKS DIRECTOR ALAN RIDING: REPORT ON PUBLIC WORKS PROJECTS

Public Works Director Riding reported that the remodel work at the airport has been completed.

Mayor Bunker felt that the Public Works crew has done exceptional work in remodeling the airport office. They are now looking for furniture for the lounge area.

Public Works Director Riding stated that work had begun on the Shepherd Lane Project; the head gate has been removed and concrete has been poured for the diversion box. The pipe crossing the road has been put in place. The crew was then called to solve an emergency sewer problem, which is still in process but nearing completion.

When the Shepherd Lane Project is completed, they will begin the drainage project on 200 East Street.

Council Members thanked Public Works Director Riding for the update.

ASST. PUBLIC WORKS DIRECTOR KEN CLARK: DELTA CITY EMERGENCY MANAGEMENT PLAN

Asst. Public Works Director Ken Clark asked Council Members for comments regarding the proposed Emergency Management Plan which he had distributed at a previous meeting. He also reported that he had attended a Millard County Local Emergency Planning Committee meeting. That was the initial meeting of the committee which will be forming the Millard County Emergency Management Plan, which it is estimated will take approximately nine months to complete. A Delta City Emergency Planning Committee meeting was held on Tuesday, March 11<sup>th</sup>. Those attending included Ken Clark, Rodger Scoville, Terri Jones from the Vista Program, and Karen Johnson. Mayor Bunker was invited but was unable to attend. The proposed Emergency Management Plan was discussed at length. It was determined that the plan will be used as a guide but we will tailor the plan to fit our specific needs and it will probably take about as long to develop the Delta City plan as the Millard County plan.

The first step will probably be working on mutual aid agreements with other entities in order to allow sharing of responsibilities and equipment. Another meeting is scheduled for Tuesday, March 25<sup>th</sup>, at which time the plan will be discussed in more detail.

Asst. Public Works Director Clark reported that the first C.E.R.T. training course has been completed; the trainees will have a mock disaster training on Wednesday, April 9<sup>th</sup>. Another C.E.R.T. training course is planned to begin the end of April. There will be a notice printed on the March utility bills announcing the upcoming training.

Mayor Bunker and the Council thanked Asst. Public Works Director Clark for the time and effort he has put into emergency management planning for Delta City.

OTHER BUSINESS

Mayor Bunker told Council Members that he had been approached by an individual who felt that we

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should be doing something to honor and show support of local military members serving in the war with Iraq. Council Members felt that the U.S. flags should be put up on Main Street and that a list of those individuals who have ties to the West Millard area be honored in some manner.

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Mayor Bunker reported that he will be attending a seminar, being held in Salt Lake City tomorrow, regarding skate parks, including insurance, liability, citing, etc.

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Mayor Bunker has met with the Millard School District Board regarding the District office building. It was agreed that Delta City will be given title to the District office property when it is no longer being used by the School District and that the cost of razing the building would be shared between Delta City and the School District. Mayor Bunker is also going to ask Millard County to donate use of equipment for demolition of the building. The School District also agreed to take responsibility for any asbestos problems which may arise.

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Mayor Bunker told the Council that he had been approached by Dr. Tom Chandler who requested that Delta City adopt a resolution in favor of creating two Millard County Tourism Boards; one for East Millard and one for West Millard, and that tourism funds be divided equally between the two boards for promoting tourism in Millard County. Mayor Bunker felt that further information was needed and was not in favor of adopting a resolution at this time. Council Members agreed with Mayor Bunker.

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Mayor Bunker stated that he is aware that all Council Members had recently received letters and e-mails from two piano teachers who have recently been asked to obtain a business license for their piano teaching business. Mayor Bunker provided the Council with background information on the effort which has been made to contact individuals who have been doing business without licenses and to get those individuals licensed. Council Members reviewed portions of the Delta City Business License Ordinance and a telephone survey which had been conducted by contacting numerous cities and towns in Utah, asking if they require piano teachers to obtain business licenses. Mayor Bunker asked Council Members what their feelings were as to whether there should be exceptions from business licensing for some types of business. Council Members discussed their various feelings and ideas regarding business licensing. Mayor Bunker asked Council Members to think about this matter and be prepared to take action on it at the next City Council meeting.


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Council Member Wesley Bloomfield asked if Council Members would like to discuss overage fees for water use before the watering season begins. Public Works Director Riding advised the Council that he is preparing some information for water conservation and will prepare a proposal for review by Council Members. Consideration should be given to encourage water conservation by educating the public on ways to conserve water and, in addition, possibly adjust the fee schedule to eliminate the 8,000 gallons allowed for the base rate; i.e., charge for every gallon used, not just for using over the 8,000 gallon minimum.

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Mayor Bunker asked if there were any comments, questions, or other items to be discussed. There being none, Council Member Wesley Bloomfield MOVED to adjourn the meeting. The motion was SECONDED by Council Member Bruce Curtis. Mayor Bunker asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Bunker declared the meeting adjourned at 9:08 p.m.

  
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GAYLE BUNKER, Mayor

  
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GREGORY JAY SCHAFER, CMC, City Recorder

MINUTES APPROVED: RCCM 04-03-03

